

Minutes of the Taunton Conservation Commission September 13, 2021

Present: Chair Steven Turner, Vice Chair Debra Botellio, Commissioners Joshua Borden, Richard Enos, Luis Freitas, Matthew Haggerty, and Jan Rego. Conservation Agent, Michele Restino and Recording Secretary Denise Irving also present

Motion to approve the minutes of the August meeting. JB, second RE so voted

Jared Gouveia – Eagle Scout Completed Project Presentation

Jared gave a report of his Eagle Scout Project which was the cleanup of the fragrance garden and new plantings. The project took approximately 82 man hours with 8 people working on the first day and 10 people the second day. He received donations of supplies from G. Lopes, Lowes and Araujo's in addition to cash donations. A \$150.00 cash donation was presented to the Commission. The Commission thanked Jared for doing such a great job. Motion to put those funds for use at Boyden. DB, JB second so voted.

Out of order motion JB, JR second so voted.

Public Hearing:

1. Railroad Ave. (Assessor's Lot 125-14), Railroad Ave. Trust, LLC, NOI, SE73-2938 for construction of a common driveway and two duplex buildings. Sean Leach present for Railroad Ave. Trust. JB asks if hydrant in Lot 1 has water service to it now? – yes. DB asks is there an existing basement? MR stated that it was used before by the Railroad. JB would like to add a Special Condition #33 stating a copy of the Homeowner's Association documentation is given to Conservation for the file. Motion to approve with Special Conditions 1-6, 8-11, 15-21, 24-28, 31, 33. JB, RE second so voted.

Reverted back to regular order of business

Motion made to continue the following until 10/18/2021

- **21 O'Connor Street, Long, NOI, SE73-2945** to raze an existing deck & construction of a new 16'9" x 14' addition. DB, LF second so voted.

- **10 Mineral Street, Violation** blocking of city culvert with tree trunks & couch pillows & altering Cobb Brook channel, discuss fines. DB, RE second so voted.
- **Winthrop Street (Assessor's 103-28), D.I. Trust II, NOI, SE73-2921** for one infiltration basin in association with a proposed 135 SFH lot subdivision on parcels in Dighton. DB, JB second so voted.
- **9 Old Colony Avenue, Violation** cutting trees within wetlands and associated buffer zone. DB, JB second so voted.
- **Short Street (Assessor's Lot 28-62), Liberty & Union Realty Trust, NOI, SE73-2944** to construct SFH including driveway crossing over the BVW twice. Engineer unable to attend. MR needs to review wetland line. DB, RE second so voted.
- **163 Run Brook Circle, Run Brook Development, LLC, COC, SE73-2859** to close the Order of Conditions. JB, DB second so voted.
- **630 Burt Street (Lot 1), Mason/Eastside Investments, LLC, COC, SE73-2893** to close the Order of Conditions. JB, second DB so voted.
- **620 Burt Street (Lot 2), Mason/Eastside investments, LLC, COC, SE73-2894** to close the Order of Conditions. JB, second DB so voted.
- **838 Caswell Street, Aspen Properties Investments, LLC, COC, SE73-2775** to close the Order of Conditions. Needs to apply for shed permit. JB, second JR so voted.

Certificate of Compliance:

- 1. 32 Pinehurst Street, Pinehurst Property Development, COC, SE73-2628** to close out Order of Conditions. Nick Dufresne, Aspen Properties present. States work is completed. Motion to approve DB, second MH so voted.
- 2. 28 Pinehurst Street, Pinehurst Property Development, COC, SE73-2656** to close out Order of Conditions. Nick Dufresne, Aspen Properties present. DB requested clippings be removed from the BVW. Motion to approve DB, second MH so voted.
- 3. 22 Vernon Street, Aspen Properties Development, COC, SE73-2678** to close out Order of Conditions. Nick Dufresne, Aspen Properties present. Motion to approve with a perpetual condition that a garage not be built on either side of the duplex, attached to the deed and recorded DB, second MH so voted.

4. 40 Christine Lane, Krepon, COC, SE73-2702 to close out Order of Conditions. No one present. Motion to approve DB, second MH so voted.

Public Meeting:

1. 6 McIntosh Drive, Cardoso, RDA, DSE-1281 to install a 12' x 20' pool & addition to existing deck. Carlos Cardoso, homeowner present. DB asks how close to the 100' buffer – MR states 85' to 90'. ST asks who is doing the work? Pool company installing saltwater pool, homeowner is constructing the deck. Motion to issue a negative determination with Special Conditions 1-4, 18. JR, second MH so voted.

2. 100 Short Street, Durden, RDA, DSE-1282 to install a subsurface sewage disposal upgrade. Jeff Youngquist, Outback Engineering present. No public input. Motion to issue a negative determination with Special Conditions 1-4, 7, 14, 18 & 19. DB, second JB so voted.

3. Lot 1 Tremont Street (Assessor's Lot 41-62), Hawthorne Development, Inc., RDA, DSE-1283 to construct a SFH with driveway, septic, and utilities. John Garanito, Hawthorne Development, Inc. present. Mr. Garanito states no water will go to the neighbor's property. JB asks that no building past the 50' buffer. Mr. Garanito is fine with that. Motion to issue a negative determination with Special Conditions 1-8, 13, 14, 17-19, adding 24-nothing past the 50' buffer zone in perpetuity JB, second DB so voted. MH has concerns that it should be a 25' buffer. Motion amended to state no structures or disturbance within the 25' WPZ in perpetuity DB, second JB so voted.

Continued Public Hearing:

1. 147 Winthrop Street, McClean, NOI, SE73-2912 reconfigure parking to include 2 spots in front and removal of a concrete patio. Gary McClean, owner present. Mr. McClean states in addition he also wants to repair the deck and make it a 3 family. ST states doesn't feel he can support anything until the history of this property is cleared up. MR states there is still outstanding wetland replication, no concrete used for the two parking spots, needs ZBA approval, no deck replacement till everything else is cleared up, vegetation thrown by the brook needs to be cleaned up and the area kept clean. ST suggests Mr. McClean call MR to set up a visit to discuss things that need to be done. JB states that Mr. McClean needs to seek relief from the ZBA and PB before we can commence with anything

on this project. ST asks that MR gets info regarding easement for next meeting from City Engineer. Motion to continue to 12/13/21 with the understanding that this will give Mr. McClean time to go before the ZBA & PB as needed, and get info from City Engineer in regards to the easement rights JB, second DB so voted.

Public Input: Juanita Gallagher, 145 Winthrop Street present. Ms. Gallagher states per the appeal nothing was to be done after restoration, water worse after restoration, our houses are unsaleable, the neighbors offered to buy 147 Winthrop Street so they could take it down – their offer was declined, stench is unbearable, lawns are mud, just wants it to stop. ST recommends that Ms. Gallagher attend any upcoming ZBA & PB meetings. DB asks if Ms. Gallagher has a copy of the appeal? – yes she will give the Commission a copy.

2. 100 Revolutionary Drive (including Assessor's Lots 119-6, 17, 18, 63, & 64), Ciffolillo/Taunton L & U, LLC, ANRAD, SE73-2929 for resource area delineation.

Claire Hoogetboom, LEC Environmental Consultants, Inc. & Greg LaCroix, Ecosystems Solutions, Inc. present. ST asked for MR recommendation. MR stated next year in the spring to verify vernal pools, should also be done with a peer review. Ms. Hoogetboom agreed to submit a NOI to accommodate that. Motion to approve with notation on the ORAD that vernal pools will be verified at the NOI filing. JB, second MH so voted.

3. 44 Dean Street, Amaral/Innovative Investment Corp., NOI, SE73-2932

proposed construction of residential condominiums with parking and utilities.

Dave Santos, Prime Engineering & Michael Amaral, owner present. Revised plans have been submitted to reflect information requested. DB states that she can't vote on the project as she wasn't here last month but said it looks like a great project. Motion to approve with Special Conditions 1-9, 12, 16, 17, 19-21, 24-27, 29. JB, second JR, DB Present so voted.

4. 167 Caswell Street, DiBona/Superior Homes, LLC, NOI, SE73-2937 to construct

a single family house with septic, driveway, utilities, & associated grading. Mario DiBona, Superior Homes and Scott Faria, JK Holmgren Engineering present. DB states that she can't vote on this project as she wasn't present last month. Mr. Faria presented the details of the revised plan as requested. JB thanks him for doing the trenches and making the revisions, good job! Motion to approve with Special Conditions 1-6, 16, 17, 19, 21, 25-27 JR, second JB, DB present so voted.

Public Hearing:

1. 187 Quequechan Road, Glynn, NOI, SE73-2939 to install a 13' x 30' in-ground pool. Joshua Glynn, homeowner present. ST states this is an after the fact filing. Owner was not aware he needed to do a filing with Conservation. Pool company didn't apply for the permit until the pool was on the way. MR observed the installation. Motion to approve JB, second JR so voted. Motion to have Mr. Glynn file for a COC to be heard at the 10/18/21 meeting. JB, second MH so voted.

2. 32 Brookview Circle, Lima, NOI, SE73-2940 to construct a 28' x 30' garage addition with family room above. Raymond Francisco, RLF Engineering present. Motion to approve with Special Conditions 1-5, 8, 9, 19, 21, 24-27 DB, second JB so voted.

3. 90 Prince Henry Drive, Nash/Atlantic Realty Limited, Inc., NOI, SE73-2941 for 80,000 sf expansion of existing industrial building and associated stormwater improvements. Al Nash, owner and Brandon Carr, DiPrete Engineering present. ST asks how many parking spots – 165 and to remain the same this is purely for storage. Snow removal remains the same – yes. JB has questions about the replication area, ST would like to see a 2:1 replication added as a special condition. Motion to approve with Special Conditions 1-5, 7-9, 11, 15, 19-21, 25-27, 29, 38 which includes the 2:1 replication. DB, second JR so voted.

4. 124 Lakeview Avenue, Ramsperger, NOI, SE73-2943 raze existing deck and construct new 16'9" x 14' addition. Jesse Ramsperger, home owner and Dominic Venturelli, DML Builders present. Construction is for an additional bedroom and half bath, on city sewer. DB asks if on existing footprint – yes. Motion to approve with Special Conditions 1-5, 19, 25-27 DB, second MH so voted.

5. Lot 2 Tremont Street (Assessor's Lot 41-63), Hawthorne Development, Inc., NOI, SE73-2942 to construct SFH with driveway, septic & utilities. John Garanito, Hawthorne Development, Inc. present. Commission would like to maintain a 25' no touch zone in perpetuity & recorded at registry of deeds added to the Special Conditions. Motion to approve with Special Conditions 1-9, 16, 17, 19, 21, 24-27, 38 JB, second DB so voted.

Continued Violations:

1. 248 Tremont Street – cutting trees, clearing brush, and adding fill within the Riverfront Area. Homeowner not present. Motion to continue to 10/18/2021

Homeowner must be present, have him served by Constable in hand. LF, second DB so voted.

Other Business:

1. Lake Management Plan Discussion: ST gave a brief update stating people could get caught up in the weeds and something needs to be done. Lake is owned by the City of Taunton and not DCR. MR has been doing some research. ST asked for an update at the 10/18/21 meeting

2. 106 & 110 N. Walker Street Discussion: (Easement & Large Rock) In regards to the easement Conservation has access. ST would like to have mapped out where the easement is by the City Engineer, if the City Engineer is unable to do this then we will hire someone and pay for services from the wetland filing fees. JB states for full disclosure that his company has done work for the Campanerio's. They did the survey on the property. DB questions if this is an easement or a paper street? Not sure. LF would like to get a price to shave the rock down. ST is concerned that fire trucks need to have access to the Conservation property in the back. Motion to have the City Engineer survey the easement or have it done by paying an Engineer from the wetland fees account LF, second JR so voted. JB present.

3. Bunk Pond Discussion: There has been negative activity out there and not sure what our next steps should be. Motion to check with the legal department to see what we can do to help the neighbors and have someone from the legal department attend the 11/15/21 meeting for further discussion.

4. Letter from Margaret Travis, Friends of Boyden: ST read the letter requesting some signs for direction to the fish ladder and cleanup of the graffiti on the cabin. MR will contact DPW for the signs and also to include signs for no motorized vehicles. MR will contact Jarod Gouveia to request any Scouts that may be interested in painting the cabin for their Eagle Scout project. Motion to get signs and cleanup the graffiti RE, second DB so voted.

5. Permitting Process Flow Chart: Commission would like to see a flow chart of which boards applicants should go to first for their projects to hopefully save time and money for all involved. DB stated that other towns as part of their process will state what boards they have been to and give highlights in their presentations. Motion to refer to Law Department, MR, Kevin Scanlon, Director

of Planning & Conservation Department, Planning & Zoning Boards to set up public meeting with Conservation JB, second DB so voted.

6. Denial & Appeals Process Discussion: ST asked if we send anything to DEP & MR stated we send a denial decision and reasons a filing was denied. ST would like the Commissioners be sent copies of any appeals received. MR explained once DEP receives the appeal they have 45 days to respond. When DEP notifies us of an appeal meeting the Commissioners should be notified also. Reasons for a denial should be stated at the time of the meeting. When making a motion to deny reasons should be stated at that time. Motion to refer to the Law Department how denial motions should be formed & do reasons for denial need to be stated at that time. JB, second JR so voted.

Motion to adjourn at 8:28 pm DB, second JB so voted.